

REMARKS

Claims 36-44, 46-68, and 70 are pending in the present application. Claim 1-35 and 69 were previously cancelled, claim 45 is cancelled herein, and claims 36, 41, 51, 53, 58, 64, 66, and 67 have been amended. No new matter has been added. Applicants respectfully request reconsideration of the claims in view of the following remarks.

Claims 36-68 and 70 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over U.S. Application Publication No. 2003/0118019 (hereinafter “Mark”) in view of U.S. Application Publication No. 2001/0033646 (hereinafter “Porter”) and U.S. Patent No. 6,188,691 (hereinafter “Barkai”). Applicants traverse these rejections.

Applicants’ claim 36 explicitly recites, “the NRMs of the first group and the second group comprise means for communicating on a common network level and for exchanging resource requests by using the first addressing scheme” and “that a set of resources that is used by a reservation in the second group . . . is aggregated into a single resource in the first group of NRMs.” Thus, Applicants’ claim 36 explicitly recites that the NRMs of the first group and the NRMs of the second group exchange resource requests using the addressing scheme of the NRMs of the first group, and that the resources of the second group are aggregated into a single resource in the first group. In other words, the first group: (1) defines the addressing scheme for requests between the first group and the second group; and (2) aggregates the resources of the second group into a single resource in the first group.

In this case, the cited references fail to teach or suggest this limitation, and accordingly, the Office Action failed to present a *prima facie* case of obviousness. The Office Action identified the first network level as the IP network in Figure 3 of Mark, and the first addressing scheme as the IP data packets 200 in Figure 4 of Mark. Office Action, page 2. The Office

Action further identified the second network level as the enhanced packet network 114 of Figure 3 of Mark, and the second addressing scheme as the PPP packets 202 in Figure 4 of Mark.

Office Action, page 2. If this were the case, then a set of resources that is used by a reservation in the enhanced packet network (the second group of NRMs) must be aggregated into a single resource in the IP network (the first group of NRMs). This, however, is exactly opposite of what Mark discloses. In fact, Mark discloses that the IP packets are aggregated into a label switching path in the enhanced packet network, or in other words, that the resources of the first network are aggregated into a single resource of the second network.

Applicants further note that the IP network and the enhanced packet network may not simply be reversed such that the IP network corresponds to the second network and the enhanced packet network corresponds to the first network. Applicants' claim 36 recites that the NRMs of the first group and the second group "exchang[e] resource requests by using the first addressing scheme." Thus, if the IP network of Mark corresponds to Applicants' second network and the enhanced packet network of Mark corresponds to Applicants' first network, then the IP network (the second network) and the enhanced packet network (the first network) would have to exchange resource requests using the addressing scheme of the enhanced packet network (label switched packets). Clearly, this is not the case.

Applicants further reassert that the routers of Mark are not resource managers, but rather simply route communications according to the routing information contained in the headers. Nevertheless, in an attempt to move this case forward, Applicants have amended claim 36 to recite, "the NRMs of the first group and the second group admitting new resource requests based at least in part on a total amount of available resources, an amount of resources currently reserved by previous reservations, and an amount of resources requested in the new resource

requests.” At most, the routers simply route communications based on when they are received without any regard, *inter alia*, to the previous reservations or the total amount of resources. In fact, routers simply route communications and do not reserve resources.

Applicants’ claim 53 recites similar limitations and is allowable over the cited references for similar reasons.

In view of the above remarks, Applicants respectfully request that the rejections of claims 36 and 53 be withdrawn. Claims 37-44, 46-52, 54-68, and 70 depend from and further limit at least one of claims 36 and 53, and accordingly, it is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Roger C. Knapp, Applicants’ attorney, at 972-732-1001, so that such issues may be resolved as expeditiously as possible. The Commissioner is hereby authorized to charge any fees that are due, or credit any overpayment, to Deposit Account No. 50-1065.

Respectfully submitted,

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Date

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